

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

GOVERNMENT EMPLOYEES INSURANCE
COMPANY, et al.,

Plaintiff(s)

v.

TREMONT DIAGNOSTIC IMAGING, P.C. d/b/a
BRONX IMAGING NYC, et al.

Defendant(s)

Civil Action No. 19-cv-5158 KAM-SMG

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* See Annexed Rider

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Michael A. Sirignano, Esq.
Barry I. Levy, Esq.
Michael Vanunu, Esq.
Rivkin Radler, LLP
926 RXR Plaza
Uniondale, New York 11556

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Douglas C. Palmer

CLERK OF COURT

Date: 9/13/2019

s/Kimberly Davis

Signature of Clerk or Deputy Clerk



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Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

**RIDER "A" TO SUMMONS IN
GOVERNMENT EMPLOYEES INS. CO., et al. v. TREMONT DIAGNOSTIC IMAGING,
P.C. d/b/a BRONX IMAGING NYC, et al.**

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
GOVERNMENT EMPLOYEES INSURANCE COMPANY,
GEICO INDEMNITY COMPANY, GEICO GENERAL
INSURANCE COMPANY and GEICO CASUALTY
COMPANY,

Docket No.:

Plaintiffs,

-against-

TREMONT DIAGNOSTIC IMAGING, P.C. d/b/a BRONX
IMAGING NYC, CHARLES J. DEMARCO, M.D., AAA
MANAGEMENT NYC LLC, ALBERT FOOZAILOV,
JOSEPH STERN and JOHN DOE DEFENDANTS 1-10,

**Plaintiff Demands a
Trial by Jury**

Defendants.

-----X

Named Defendants:

TREMONT DIAGNOSTIC IMAGING, P.C. d/b/a BRONX IMAGING NYC

c/o New York Secretary of State
99 Washington Avenue
Albany, New York 12231-0001

CHARLES J. DEMARCO, M.D.

2906 Shore Drive
Merrick, New York 11566

AAA MANAGEMENT NYC LLC

c/o New York Secretary of State
99 Washington Avenue
Albany, New York 12231-0001

ALBERT FOOZAILOV

141-52 73rd Terrace
Kew Garden Hills, New York 11367

JOSEPH STERN

800 Bedford Avenue
Brooklyn, New York 11205